

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

CASE NO. _____

KRISTINE ALLEN,

PLAINTIFF,

v.

UNITED STATES OF AMERICA,

DEFENDANT.

COMPLAINT

1. This is an action arising under the Federal Tort Claims Act, 28 U.S.C. §2671.

This Court is vested with jurisdiction pursuant to §1346(b), Title 28 of the United States Code.

2. On or about May 5, 2018, Plaintiff was walking in a crosswalk in the Lowe's parking lot located at 1320 Stafford Marketplace in Stafford, Virginia.

3. At that time and place, Girgis R. Hafzalla, an employee of the Federal Bureau of Investigation, was operating a Chevrolet van in the parking lot of the Lowe's store located at 1320 Stafford Marketplace in Stafford, Virginia.

4. At that time and place, Plaintiff was walking in the crosswalk from the Lowe's parking lot into the Lowe's store.

5. At that time and place, Girgis R. Hafzalla drove the Chevrolet van into the crosswalk and struck Plaintiff's body with the van while Plaintiff was crossing in the crosswalk.

6. Girgis R. Hafzalla was at the time an agent, servant and/or employee of Defendant, United States of America.

7. Girgis R. Hafzalla was then and there acting within the scope of his employment and/or agency with Defendant, United States of America.

8. The above-described collision was directly and proximately caused by carelessness, recklessness and negligence in the operation of the Chevrolet van by Girgis R. Hafzalla, the authorized agent, servant and employee of Defendant, United States of America.

9. Under the doctrine of *respondeat superior*, Defendant is liable for the negligent acts described herein committed by Mr. Hafzalla.

10. As a proximate result of the above-described collision, Plaintiff was caused to suffer serious and permanent injuries; has suffered and will suffer in the future pain of body and mind; has incurred and will incur in the future medical and related expenses; and has been deprived of earnings and earning capacity.

11. On or about April 22, 2020, Plaintiff filed this claim with the United States Federal Bureau of Investigation (FBI), the appropriate federal agency for such notice. On June 23, 2020, the Office of the General Counsel for U.S. Department of Justice sent a letter denying this claim.

WHEREFORE, Plaintiff demands judgement against the defendant in the sum of TWO-HUNDERED FIFTY THOUSAND DOLLARS (\$250,000.00) plus pre-judgement and post-judgement interest, for her costs, and for such other relief as the Court may deem proper.

KRISTINE ALLEN

BY: /s/
DAVID M. STURM, Esq.
Allen, Allen, Allen & Allen
3504 Plank Road
Fredericksburg, Virginia 22407
(540) 785-6639
(540) 785-5246 (facsimile)
David.Sturm@allenandallen.com